

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                      |   |                             |
|--------------------------------------|---|-----------------------------|
| KATHY DENISE SNIDER,                 | ) |                             |
|                                      | ) |                             |
| Plaintiff,                           | ) |                             |
|                                      | ) |                             |
| v.                                   | ) | C.A. No. 19-1907 (MN) (SRF) |
|                                      | ) |                             |
| KILOLO KIJAKAZI, Acting Commissioner | ) |                             |
| of Social Security, <sup>1</sup>     | ) |                             |
|                                      | ) |                             |
| Defendant.                           | ) |                             |

**ORDER ADOPTING REPORT AND RECOMMENDATION**

At Wilmington, this 6th day of August 2021:

WHEREAS, on July 22, 2021, Magistrate Judge Fallon issued a Report and Recommendation (D.I. 23) in this action, recommending that the Court grant Plaintiff's Motion for Summary Judgment (D.I. 14) and deny the Commissioner's Cross-Motion for Summary Judgment (D.I. 17); and


WHEREAS, no party filed objections to the Report and Recommendation pursuant to 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period, and the Court finding no clear error on the face of the record.

THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation is ADOPTED. Plaintiff's Motion for Summary Judgment (D.I. 14) is GRANTED and the Commissioner's Cross-Motion for Summary Judgment (D.I. 17) is DENIED. This matter is REMANDED for further proceedings. The Office of General Counsel shall forward a copy of the Report and Recommendation and this Order to the Office of Disability Adjudication and Review,

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<sup>1</sup> Kilolo Kijakazi became the Acting Commission of Social Security on July 9, 2021. Therefore, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Ms. Kijakazi is substituted as Defendant in place of Andrew Saul.

Office of Appellate Operations for action by the Appeals Council. The Clerk of Court is directed to CLOSE this case.

  
The Honorable Maryellen Noreika  
United States District Judge